United Nations S/2002/1314

Security Council

Distr.: General
2 December 2002

Original: English

Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1423 of 12 July 2002. It brings up to date the record of activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) since my previous report, dated 5 June 2002 (S/2002/618). On 23 October 2002, the Council also received briefings by Lord Paddy Ashdown, the High Representative in Bosnia and Herzegovina, and Jacques Paul Klein, my Special Representative and Coordinator of United Nations Operations in Bosnia and Herzegovina (see S/PV. 4631). This is the final report on UNMIBH, which completes its mandate on 31 December 2002.

II. Recent activities of the Mission

2. UNMIBH continued its core programme of police reform, in particular granting final certification to the local police officers (see also para. 11 below). Concerning the police restructuring, two police administrations — the Republika Srpska and Canton 1 (Bihac) — have received UNMIBH accreditation as meeting the basic standards of democratic policing. The Brcko District police administration had received UNMIBH accreditation in March 2002. As part of the accreditation process, standard operating procedures for public affairs units in all law enforcement administrations have been drawn up and incorporated into the relevant legislation. A final campaign reinforcing the Mission's message and activities is currently under way.

3. The Mission's landmark project to minimize political interference in police work by establishing independent police commissioners has been completed. Police commissioners are in place in 10 cantons, as are directors of police in the Republika Srpska and the Federation. The deployment of the State Border Service has been completed and the Service now controls all land borders with neighbouring countries. The Mission's Criminal Justice Advisory Unit carried out a specialized criminal investigation training course for the local police. The three-year project to establish, train and equip a court police force serving all 174 courts in the Federation has been completed. The State Information and Protection Agency has been established and its directors have been appointed.

02-70620 (E) 031202

4. General elections were held on 5 October in conditions of full security. Nearly 1,100 officers of the Mission's International Police Task Force (IPTF) monitored more than 3,000 local police in the Federation and approximately 1,150 in the Republika Srpska, conducting 561 joint and independent patrols. Local police planning and performance were outstanding. This achievement builds on the impressive record of local police throughout the year in developing and implementing security plans for minority returns and sensitive public events, such as religious gatherings, commemorations and sports events.

5. The European Union Police Mission (EUPM) will take over from UNMIBH from 1 January 2003 and every effort has been made to ensure a seamless transition. The current IPTF Commissioner will continue as the first EUPM Commissioner. UNMIBH has cooperated closely with the rapidly expanding EUPM planning and advance teams. To ensure continuity, 119 IPTF officers will be retained in their current positions, many of them in sensitive areas, and transferred to EUPM on 1 January 2003. The consensus between UNMIBH and EUPM on priority tasks and future challenges has greatly eased the transition planning. The drawdown of the IPTF presence will be completed at the end of December and a small liaison office will remain in Sarajevo until June 2003 to ensure completion of the transition and deal with any residual issues that may arise.

III. United Nations Mission in Bosnia and Herzegovina, 1996-1999

6. Since this is the last report on UNMIBH, it is worth taking a look back at the Mission and what it has achieved over the past six years. UNMIBH began under inauspicious conditions. As a result of the conflict, over 200,000 people had died, 20,000 were missing and 1.2 million were internally displaced. The country was divided along ethnic lines. The fratricidal war, in which civilians were the principal target and victims, had left a legacy of hatred and widespread fear of retribution.

7. Numbering over 44,000 — three times peacetime strength — the local police forces were mono-ethnic paramilitary units, organized in three parallel structures, and entirely unsuited to civilian law enforcement. Instead of attempting to provide citizens of minority groups with some sense of security, police forces continued to discriminate against, harass and intimidate citizens who were not of their own ethnicity. Reinforcing the ethnic division, freedom of movement was non-existent, blocked by police checkpoints along the Inter-Entity Boundary Line and between communities in the Federation. Moreover, police forces were corrupt and politically dominated. Within this highly volatile setting, UNMIBH focused on civilian security. The presence and intensive patrolling of almost 2,000 IPTF monitors made a crucial contribution to creating a stable environment.

8. As the immediate post-conflict crisis began to subside, UNMIBH began addressing the broader issues of the mandate. Freedom of movement was significantly improved in 1998 through the introduction of uniform vehicle licence plates, a joint initiative by UNMIBH and the Office of the High Representative. The introduction of IPTF procedures for selection and recruitment, which included sanctioning police officers for non-compliance, alongside two major restructuring agreements (in 1996 for the Federation and in 1998 for the Republika Srpska), which set targets for the force numbers and minority representation, laid the

foundations for police reform. Highly qualified personnel were increasingly deployed and IPTF advisers placed in the cantonal and entity interior ministries provided closer monitoring. Recognizing the inextricable link between policing and an effective judicial system towards establishing the rule of law, UNMIBH created the Judicial System Assessment Programme in 1998.

IV. Mandate implementation plan: 2000-2002

9. By 1999, security had further stabilized and the first significant returns of displaced persons to their pre-war homes began. The Mission then concentrated on implementing the substantive aspects of its mandate. It was evident that sustainable police reform and restructuring could not be tackled through training and intensive co-location alone. A conceptual model constituting the baseline of concrete police reform and restructuring was drawn up (see annex). This formed the basis of a two-year mandate implementation plan comprising specific goals, projects, benchmarks and timelines. Three levels were addressed: (a) the individual police officer; (b) law enforcement institutions; and (c) the relationship between the police and the public. The plan was organized in six core programmes and its end goals were set out as follows: certification of individual officers; accreditation of police administrations; and the establishment of self-sustaining mechanisms for State and regional level inter-police force cooperation. The plan became the primary reference document for the Mission's activities, both with local interlocutors and the international community. It brought transparency to UNMIBH work, engendered ownership, transparency and accountability amongst law enforcement personnel and institutions, and provided a clear outline for the Mission's reporting mechanisms.

Core programme one: police reform

10. The main aim of core programme one: police reform was to ensure that individual police officers met international standards of professional and personal integrity to gain the respect and confidence of the general public. This required checking wartime backgrounds, professional performance, legality of housing, verification of educational credentials, completion of IPTF compulsory training, proof of citizenship and criminal records. A comprehensive data bank — the local police registry — was set up to store full background information on all law enforcement personnel. Full certification demanded a three-phase process: (a) registering serving police officers; (b) initial screening prior to awarding provisional authorization; and (c) a final in-depth check leading to full certification. Provisional authorization was removed from those law enforcement personnel who failed to comply with these policing standards. Local internal control units were established in all police administrations.

11. In line with the timeframe set out in the mandate implementation plan, the final certification of all law enforcement personnel is on track to conclude before the end of the year. Of the 44,000 personnel, including administrative staff, 23,751 officers were registered. Of these, 16,803 were granted provisional authorization, of whom 15,786 were granted full certification (8,311 in the Federation, 5,692 in the Republika Srpska, 263 in Brcko District, 1,351 in the State Border Service and 169 in the Federation court police). Certification was denied to 481 officers (254 in the Federation, 184 in the Republika Srpska, 1 in Brcko District, 1 in the Federation court police and 41 in the State Border Service). In addition, 228 cases are pending

(104 in the Federation, 104 in the Republika Srpska, 2 in Brcko District, 2 in the Federation court police and 16 in the State Border Service). An independent review panel has been set up to handle any case that might be subject to a request for review. This panel cannot overrule the IPTF Commissioner, but if there is any new information or evidence that was not available at the time of the Commissioner's original decision, the panel will refer the cases back to the Commissioner for reconsideration of his decision.

12. The second aim of the programme was to raise the professional skills of the police to internationally accepted standards, a task made more difficult by lack of funding and qualified instructors. UNMIBH provided over US$ 500,000 from its Trust Fund for the Police Assistance Programme and professional police training expertise for two police academies, which opened in Sarajevo in October 1998 and Banja Luka in July 1999. In April 2002, permanent training facilities were opened for officers serving with the State Border Service. All police officers, new recruits and returning former officers attended the Mission's mandatory training courses, which comprised a week-long human dignity course and a three-week transition course. Training in specialized areas such as riot control, traffic policing, firearms and management significantly expanded basic policing capacity. Aiming towards self-sustaining police reform, strong emphasis was placed on "training the trainers". While specialized training courses will continue to require support from international trainers, local instructors now conduct all formal training at both academies.

Core programme two: police restructuring

13. Core programme two: police restructuring sought to ensure that every police administration had adequate resources, had an efficient organizational structure, including external and internal redress mechanisms, was insulated from political interference and had appropriate multi-ethnic representation and gender balance. Comprehensive systems analyses of all law enforcement administrations began in 2002 and a package of reforms and recommendations was developed in cooperation with local authorities. This stage has now been completed and local change management teams in charge of implementing both the basic and longer-term recommendations have been deployed in all police administrations. Full accreditation for the implementation of basic standards has been awarded to three police administrations. Four administrations will be accredited shortly and the remainder by the end of the year.

14. To minimize political interference in police work, a two-year project was launched to establish independent police commissioners at the cantonal level and directors of police at the entity level. Independent police commissioners have been appointed in all 10 Federation cantons. Directors of police are in place in the Republika Srpska and in the Federation.

15. The deployment of minority police officers has been one of the Mission's most labour-intensive tasks. To increase ethnic representation and address gender balance, four programmes were implemented: (a) voluntary redeployment for minority law enforcement personnel; (b) selection of minority cadets for the two police academies; (c) refresher training programmes for returning former police officers; and (d) recruitment campaigns to encourage female enrolment at the academies. As

a further incentive to returning minority officers, UNMIBH also provided housing assistance in cooperation with government ministries and non-governmental organizations. Seventeen rounds of voluntary redeployment have taken place. A total of 935 cadets have been trained through 10 classes at the academies, and another four classes comprising 465 cadets are currently undergoing selection and field training. Twelve refresher courses have been conducted. All police administrations now have minority representation, averaging ten per cent throughout the police force. Recruited female police officers number 450 (representing almost 4 per cent of the police force in the Federation and over 2 per cent in Republika Srpska) and over 170 female cadets are in training. Brcko District, the State Border Service and the court police are fully multi-ethnic.

Core programme three: police/criminal justice system

16. Policing is only one component of the rule of law. If a police force is to be fully effective, it must operate within a coherent legal framework, and with an independent and accountable prosecutorial service and judiciary. The Mission's two-year Judicial System Assessment Programme successfully charted core weaknesses in the legal system. At the end of 2000, this responsibility was transferred to the Independent Judicial Commission within the Office of the High Representative. To foster cooperation between the police and the criminal justice system, and to retain a support and advisory function, UNMIBH established the Criminal Justice Advisory Unit. This unit monitored key court cases, carried out liaison between police and the judiciary, advised IPTF on legal procedural matters and trained local police in the implementation of criminal procedures. Specialized training courses to improve the quality of police crime reports have been completed in all but one police administration (Canton 6 — Central Bosnia), where political obstruction has remained. In July 2001, UNMIBH undertook to establish, train and deploy court police in both entities. A multi-ethnic court police force has been deployed in the Federation since October 2002, and a similar force will commence operations in the Republika Srpska on 1 January 2003.

Core programme four: institution building and inter-police force cooperation

17. Without effective State law enforcement institutions and inter-police cooperation mechanisms, the ability to combat national, regional and transnational crime is severely limited. The challenge for UNMIBH was to establish State-level institutions within a new and complex structure comprising two entities, 10 cantons and a separate district. The goal was to establish a State Border Service across the country's 1,550-kilometre border. The Service now controls 100 per cent of the land borders and three international airports, with the remaining airport scheduled to open shortly. This has been an important achievement. The number of illegal migrants has decreased from 25,000 in 2000 to a few hundred in 2002. Effective border control by the Service generated over $1.2 million for the Treasury in the first nine months of the year, of which almost $900,000 was in seized goods. To increase State-level central information gathering, analysis and data distribution, and to handle the physical security of VIPs and facilities, a law establishing the State Information and Protection Agency was passed in May 2002. Three directors have

been appointed to the agency and a working group has been established towards full deployment.

18. Four separate forums were set up under the chairmanship of UNMIBH to promote statewide and regional police cooperation. The Ministerial Consultative Meeting on Police Matters and the Joint Task Force were established to encourage intra-State police cooperation. At the regional level, the Committee of Ministers, comprising representatives from Bosnia and Herzegovina, the Federal Republic of Yugoslavia and the Republic of Croatia, and the Regional Task Force were established. In order to further strengthen local capacity to combat international crime, UNMIBH assisted with the establishment of a National Central Bureau of the International Criminal Police Organization (Interpol) in Sarajevo. Both the State and regional level inter-police forums have been handed over to local ownership.

19. To enhance police capacity to combat human trafficking, in July 2001 UNMIBH established the Special Trafficking Operations Programme for local police, monitored by IPTF officers. As of 23 November, the Programme had carried out over 800 raids, identified 240 establishments suspected of activities involving trafficking, of which 151 have closed, and helped to repatriate 264 trafficked victims with the support of the International Organization for Migration. Assisted by the Criminal Justice Advisory Unit, 54 prosecutions are ongoing, 20 cases are pending and 99 convictions have been handed down.

Core programme five: public awareness

20. To create public trust and confidence in the police force, a series of national public awareness campaigns have been conducted, emphasizing the core principles of democratic policing: police protection, accountability and impartiality. Police-sponsored community open days, school visits and demonstrations of law enforcement skills further increased public confidence. Additional campaigns informed the public about the State Border Service and encouraged the recruitment of ethnic minority and female police officers. A bi-monthly newspaper on the State Border Service is published, radio news programming on UNMIBH activities sent to local stations, and a Mission web site has been set up and is updated daily.

Core programme six: participation in United Nations peacekeeping

21. UNMIBH has considered Bosnia and Herzegovina's participation in United Nations peacekeeping operations as beneficial for harmonizing police and military cooperation in the country. It has provided the authorities of Bosnia and Herzegovina with substantial support and advice on contribution to these operations. A multi-ethnic civilian police contingent from Bosnia and Herzegovina has been serving in East Timor (now Timor-Leste) since 2000, first with the United Nations Transitional Administration in East Timor (UNTAET), then transferring to the United Nations Mission of Support in East Timor (UNMISET). A multi-ethnic group of United Nations military observers has been deployed to the United Nations Mission in Ethiopia and Eritrea (UNMEE) since January 2001. In November 2002, a second multi-ethnic group of military observers was deployed to the United Nations Organizational Mission in the Democratic Republic of the Congo (MONUC). A

composite unit for United Nations peacekeeping missions (an integrated 60 person, company-sized logistics light transport company) has been established and is ready for deployment at short notice. A procedure for future contributions has been developed and responsibility has been transferred to local ownership.

V. Trust funds

22. Two trust funds have provided essential resources to UNMIBH mandate implementation. The Trust Fund for the Restoration of Essential Public Services in and outside Sarajevo, which was established in 1994, has so far received contributions totalling $20.8 million. In addition, interest income of $3.1 million has been utilized to finance projects. More than 540 projects have been implemented in the fields of public health, shelter, water, energy, public transport, communications, education and sanitation. The Trust Fund for the Police Assistance Programme in Bosnia and Herzegovina has received contributions of $16.3 million. These resources have been used to implement core programmes aimed at assisting the local police and law enforcement institutions through the provision of uniforms and equipment, the financing of training courses and the restoration of police facilities.

VI. Assessment and future challenges

23. Establishing the foundations of a modern, democratic police force represents a major achievement for Bosnia and Herzegovina. However, key challenges lie ahead, most importantly the full establishment of the rule of law. Corruption, organized crime and political obstruction remain major impediments to economic development and regional integration. Overcoming them depends on comprehensive judicial and legal reform. Although the Office of the High Representative has now accelerated the pace, judicial reform lags two years behind police reform. The continued presence of well-known persons who have been indicted for serious war crimes is a major obstacle to the post-conflict normalization process. Until local authorities hand over war crimes suspects to the International Tribunal for the Former Yugoslavia and those local courts, which have received clearance from the Tribunal, under the 1996 Rules of the Road Agreement, begin to arrest, indict and prosecute war crime suspects to the full extent of the law, reconciliation and stability cannot be achieved.

24. Policing standards and law enforcement capacity can be assessed by police preparedness, performance, investigative follow-up and public confidence in security. While scope for improvement remains, there are many encouraging indicators. The riots and demonstrations in 2001, for example, have given way to mostly peaceful re-openings of religious sites, commemorations, and large-scale inter-ethnic community sporting events during 2002. The presence of multi-ethnic police has underpinned and encouraged an increasing number of minority returnees, up from 41,000 in 1999 to over 92,000 in 2001, and numbering 80,711 by the end of September 2002. IPTF statistics have shown a decrease in the number and intensity of ethnically related incidents down from over 300 in 2000 to less than 200 in 2002.

25. The funding of fundamental crime fighting institutions, integral to the security and stability of both the country and the region, must be addressed. Adequate funding for the two police academies and the State Information and Protection

Agency must be secured. Despite its demonstrable success, the ad hoc nature of State funding for the State Border Service in 2002 remains a concern and must be corrected in the 2003 budget. As estimated, $842,000 is required to ensure that the Service is equipped to a basic standard. Although all salaries and overheads have been paid to date, a further $4.5 million is still required for 2002. To ensure multi-ethnic representation within the police force, the current disparity in police benefit packages between the two entities and within the Federation cantons must be resolved. This, alongside the lack of multi-ethnic public education, presents the key deterrent to full minority police deployment. Pockets of political obstruction to some of the Mission's reform measures, notably the appointment of independent Police Commissioners and minority law enforcement personnel, remain. While all political parties are supporting the national reform agenda, the post-election scenario requires close monitoring to ensure that the substantial gains achieved are not reversed.

VII. Financial and logistics aspects

26. The General Assembly, in its resolution 56/505 of 27 June 2002, appropriated an amount of $82.1 million for the maintenance and liquidation of UNMIBH for the 12-month period from 1 July 2002 to 30 June 2003. As of 31 October 2002, unpaid assessed contributions to the special account for UNMIBH amounted to $65.5 million. The total outstanding assessed contributions for all peacekeeping operations at the same date amounted to $1,652.2 million. The liquidation plan for the Mission, as reflected in the report of the Secretary-General dated 16 January 2002 (A/56/773), is on target and its implementation has commenced. Of the total of about $60 million in assets, 12 per cent will be donated to the local authorities, as discussed in the Fifth Committee on 4 November 2002 (see A/C.5/57/SR.20 and A/C.5/57/L.18). About two thirds will be transferred to other missions and the United Nations Logistic Base at Brindisi, Italy, and the balance will be disposed of locally. During the liquidation period proper, administrative support will continue to be provided to the United Nations liaison offices at Sarajevo, Belgrade and Zagreb until June 2003.

VIII. Observations

27. Through UNMIBH, the United Nations has demonstrated its ability to complete a complex mandate in accordance with a strategic plan and within a realistic and finite time frame. UNMIBH has completed the most extensive police reform and restructuring project ever undertaken by the United Nations. A high standard of security throughout the country has been established. Bosnia and Herzegovina now has all the mechanisms and institutions to participate fully in the regional and international fight against organized crime and terrorism. The State Border Service has dramatically reduced the flow of illegal migrants, helped deter narcotics and human trafficking and reduce smuggling. The handover of long-term police monitoring to EUPM is an excellent example of cooperation and smooth transition between the United Nations and a regional organization. Integral to all these achievements has been the innovative mandate implementation plan, which is now being emulated in other United Nations peacekeeping missions and the Office of the High Representative.

28. UNMIBH was entrusted with the implementation of only one, but crucial aspect of the Dayton Peace Agreements, that is the reform and restructuring of law enforcement agencies in Bosnia and Herzegovina and thus contributing to strengthening the rule of law. The Mission has worked in close cooperation with other international organizations dealing with other civilian and military aspects of the Dayton Agreements, such as the Implementation Force (IFOR), the Stabilization Force (SFOR), the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees (UNHCR). The overall coordination of the civilian international activities has been carried out by the Office of the High Representative under the guidance of the Peace Implementation Council. The contribution of UNMIBH was thus a part of a broader effort by the international community aimed at strengthening the foundations of peace in Bosnia and Herzegovina.

29. By improving public security and reforming and restructuring the police, UNMIBH helped lay the foundation for post-war recovery and development. The high standard of returnee security has encouraged the return of over 250,000 refugees to their pre-war homes. Police reform and restructuring in accordance with international standards has created in Bosnia and Herzegovina what has been termed "a police fit for Europe". The two trust funds have both assisted police reform and contributed to the country's wider post-conflict recovery. I thank Member States for their generous contributions to these funds. As EUPM embarks on the important task of monitoring and strengthening the law enforcement framework now in place, I am confident that it will be able to count on the continued support from the international community to preserve and further develop what has been achieved by UNMIBH over the past six years.

30. Throughout its mandate, UNMIBH has assisted, and has been assisted by other members of the United Nations family: UNHCR, the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the United Nations Population Fund and the World Bank. They will continue to lend their full support to the recovery and development of Bosnia and Herzegovina. The International Tribunal for the Former Yugoslavia has provided invaluable support in screening suspected war criminals within the police force. In close cooperation with UNMIBH, UNDP embarked in October 2002 on a three-year recovery programme for the Srebrenica region.

31. In conclusion, I wish to thank the Member States and police-contributing countries for their support of UNMIBH throughout its mandate. I should also like to express my deep appreciation to my Special Representative, Jacques Paul Klein, and the IPTF Commissioner, Sven Christian Frederiksen, for their strong leadership. I also take this opportunity to pay tribute to their predecessors, who laid the basis for the Mission's success. Finally, to all the men and women of UNMIBH, past and present, I offer my sincere gratitude for their tireless dedication and persistence to the promotion of peace in Bosnia and Herzegovina.

Annex

United Nations Mission in Bosnia and Herzegovina: police reform and restructuring matrix

	Personnel	Organizations
Competence	• Basic competence and human rights training • Public order training • New crime challenges training	• Adequate resources • Effective management and human resource systems (e.g., rank structures) • Inter-police force cooperation
Integrity	• Law enforcement personnel registry • In-depth checks (housing status, criminal records, academic credentials, wartime conduct)	• Multi-ethnicity and gender • De-politicization — Police Commissioner/Director of Police Project • Transparency and public accountability
Endpoints:	**Certification of personnel**	**Accreditation of institutions**

Map No. 3946 Rev. 4 UNITED NATIONS
June 2001

Department of Public Information
Cartographic Section